HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21621 of 2006

Dated:18.10.2006

Between:

S.Prabhakara Rao and others.

…Petitioners

and

The Sub-Registrar.

…Respondent

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21621 of 2006

ORDER:

The petitioners filed the instant writ petition seeking a Writ of Mandamus to declare that the petitioners are entitled to alienate the extent of Acs.3.68 cents in Survey No.294/1 and an extent of Acs.8.29 cents in Survey No.294/2 altogether Acs.11.97 cents called Gudilova Thota, Adivivaram Village, Viskhapatnam (Rural) Mandal in Visakhapatnam District, with a direction to the respondent to register the documents presented by them under the provisions of the Registration Act, 1908 (for short 'the Act') and to return the registered documents.

It is brought to the notice of this Court that G.O.Ms.No.508, dated 28.07.2000 issued under Section 22-A of the Act as amended by the A.P.Amendment Act No.4 of 1999 was also quashed by the Division Bench of this Court in W.P.No.9991 of 2003, dated 21.09.2006.

In view of the above, unless and until the respondent herein considers the documents presented by the petitioners and records reasons for non-registration, the same cannot be kept pending. If for any reason the document presented by the petitioners cannot be registered, the third respondent is bound to record reasons and communicate the same. As the land is claimed to be the Government

land it is always open to the Government to take appropriate steps in accordance with law.

The Writ Petition with the above observations is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

18.10.2006
vs